

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 59th LEGISLATURE - REGULAR SESSION

JOINT APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Call to Order: By **MADAM CHAIR EVE FRANKLIN**, on January 19, 2005
at 8:04 A.M., in Room 102 Capitol.

ROLL CALL

Members Present:

Rep. Eve Franklin, Chairman (D)
Sen. Don Ryan, Vice Chairman (D)
Sen. John Esp (R)
Rep. Bill E. Glaser (R)
Rep. Verdell Jackson (R)
Rep. Carol C. Juneau (D)

Members Excused: Sen. Carol Williams (D)

Members Absent: None.

Staff Present: Mike Burke, OBPP
Jim Standaert, Legislative Branch
Diana Williams, Committee Secretary
transcribed by Kim Leighton

Please Note. These are summary minutes. Testimony and discussion are paraphrased and condensed. Tape counter notations refer to material preceding.

Committee Business Summary:

Hearing & Date Posted: Office of Public Instruction; Cont.
Indian Education for All
Local Activities
Executive Action: None

Opening Remarks by Chair:

CHAIR FRANKLIN opened the hearing with a welcome and explanation of how they would proceed.

OFFICE OF PUBLIC INSTRUCTION (OPI) HEARING
CONTINUATION

INDIAN EDUCATION FOR ALL

Linda McCulloch, State Superintendent, OPI, introduced herself and began speaking about Indian Education For All. She stated that the three pieces of key history for Indian Education For All are: 1) 1972 Montana language in Article 10 of the Constitution; 2) HB 528 in the 1999 Legislative Session; and 3) the 2004 Judge Sherlock decision.

Ms. McCulloch explained the components of Indian Education For All and what needs to be implemented in the education system. She also presented some visual aids. **Ms. McCulloch** highlighted particular areas of the budget proposals. She stated that NP60 would provide the funding needed to implement Indian Education For All. She also provided her written testimony to the Subcommittee.

EXHIBIT(jeh14a01)

{Tape: 1; Side: A; Approx. Time Counter: 0 - 11.3}

PUBLIC COMMENT
INDIAN EDUCATION FOR ALL

REP. NORMA BIXBY, HD 41, LAME DEER spoke about Indian Education For All, and the need to implement the legislation. She provided a document to the Subcommittee which outlined her testimony, as well as some monetary figures for the implementation of Indian Education For All. She stressed the importance of funding this program.

EXHIBIT(jeh14a02)

{Tape: 1; Side: A; Approx. Time Counter: 11.3 - 21.3}

QUESTIONS FROM SUBCOMMITTEE
INDIAN EDUCATION FOR ALL

REP. JACKSON wondered if Montana is using the oral history method of development. He discussed that individuals interview older residents to gain knowledge. He also touched on a cross-cultural program in Anchorage, Alaska.

PUBLIC COMMENT

REP. JUNEAU asked Mike Jetty, OPI to say a few words.

{Tape: 1; Side: A; Approx. Time Counter: 21.3 - 27}

Mr. Jetty attested that Indian Education is like a big puzzle. Now, they are trying to put those pieces together so the program can work for everyone.

QUESTIONS FROM SUBCOMMITTEE

REP. JUNEAU inquired into how the budget was set as far as assessing Indian Education.

Lynda Brannon, Consultant, Montana Indian Education Association, explained how she and several other members collaborated on the figures. She stated that they took out expenditures they did not feel were necessary.

REP. JUNEAU wished to comment on the achievement rate. She said that Indian Education For All has two prongs. The first is that they need to provide the education to all individuals in the state. This curriculum needs to be implemented. The second prong is that they need to do something to raise the achievement gap present in Indian students. She added that there was a troubling article in the *Great Falls Tribune* in regard to Indian students.

Ms. McCulloch commented that OPI often gets frustrated with the work they are trying to do and how the media portrays this area of individuals. She discussed this process to the Subcommittee. She touched on the achievement gap and what they are trying to do to rectify this problem. She stated that research has shown that the fastest improving group in Grade 4 and Grade 8 is American Indian students. **Ms. McCulloch** added some personal history in the educational system.

{Tape: 1; Side: B; Approx. Time Counter: 0 - 10.1}

REP. JUNEAU wondered if there are other curriculums that are required under the Montana Constitution besides Indian Education For All.

Ms. McCulloch attested that Montana does not dictate curriculums to the school districts. She stated that one problem is that Montana does not have a curriculum specialist. She spoke about the need for model curriculums as well.

REP. JUNEAU asked for clarification. She inquired whether there are other curriculums in the Montana Constitution.

Ms. McCulloch claimed that there are nine areas within the accreditation standards that must be met.

REP. JUNEAU attested that Article 10, Section 1, Subsection 2 of the Montana Constitution outlines requirements for the educational system. She stated that there are statements which require the schools to recognize American Indian heritage; it does not, however, outline what needs to be taught in regard to other subjects such as math.

Ms. McCulloch stated that **REP. JUNEAU** was correct. She apologized for the mis-communication.

SEN. ESP wondered if OPI has data on schools that meet and do not meet the accreditation standards.

Ms. McCulloch stated that they do.

SEN. ESP asked **Ms. McCulloch** if she knew how many schools had been dinged for not meeting those standards.

Ms. McCulloch stated that most schools reported they were not doing Indian Education For All. She said that OPI has not had the funding to work with school districts on implementing Indian Education For All.

CHAIR FRANKLIN asked what "ADC" stands for.

Ms. McCulloch reiterated that "ADC" stands for Annual Data Collection.

Tape: 1; Side: B; Approx. Time Counter: 10.1 - 14.8

SEN. ESP questioned that if they do not have staff that deals with curriculum, then they have no way of knowing for sure who is implementing what programs.

Ms. McCulloch stated that it was an excellent question. However, the assumption is not true. She claimed that the members of her staff keep in close contact with the school districts. She attested that schools are communicating to them that they are not sure where to go with this law.

SEN. ESP attested that they need more background information in order to provide sufficient funding and resources. He also touched on cross-cultural curriculum. He added that he believes

most school districts are probably doing a better job implementing Indian Education For All than OPI realizes.

REP. JUNEAU asked if anybody had some information on the legislative study done in 1996-97.

Mr. Jetty attested that the 1995 Legislative Session showed that they did not have adequate resources to successfully implement the court mandate.

SEN. ESP confirmed that he believes most schools have been working on more implementation of Indian Education For All.

CHAIR FRANKLIN asked Mr. Jetty to expand on the conceptualization of where this Subcommittee needs to go.

Mr. Jetty claimed that there are multiple perspectives on what needs to be done. He mentioned some possible areas of concern such as: 1) personal development; 2) awareness; 3) materials; and 4) teacher retention.

{Tape: 1; Side: B; Approx. Time Counter: 14.8 - 26.4}

CHAIR FRANKLIN wondered which kinds of learning activities are appropriate for different individuals at different stages.

SEN. RYAN reiterated, "We need to identify the cultural aspects, so we can have a better understanding." He stated that they also need to look at test scores.

Mr. Jetty spoke that early reading is very important. Poverty also needs to be taken into consideration.

(SEN. WILLIAMS arrived.)

SEN. WILLIAMS spoke to the issue of funding in regard to these programs. She stated that they cannot keep starving these programs. Money is indeed what is necessary here.

CHAIR FRANKLIN asked Mr. Jetty what some of the more hopeful things have been in the progression of implementation of Indian Education.

Mr. Jetty expressed that the Native voice is important in this process. The educational system will benefit from the Native influence.

SEN. RYAN stated that Mr. Jetty made an excellent point in reference to the western expansion. He stated that they need to look at how history is being taught in general.

{Tape: 2; Side: A; Approx. Time Counter: 0 - 8.4}

REP. JUNEAU spoke about a summit that was held in October and how it related to Indian Education For All. This summit dealt with questions like, "What do we need to do to implement Indian Education?" **REP. JUNEAU** identified the report as a good one to look at.

Ms. McCulloch added that this is a working document; it will not be finished until they have solved the achievement gap.

CHAIR FRANKLIN attested that it would probably be a good idea for the education committees to take a look at this document.

Ms. McCulloch also stated that OPI has a good website that would aid in this process.

REP. BIXBY stated that schools will not be able to implement Indian Education For All until they have funding. She believed that if they have the money, they will move forward with this.

Ron Laferriere, Past President, Montana Council Administration of Special Education (MCASE), described his history in working in the special education area. He expressed the importance of this area of study. He emphasized the need for additional funding in the area of special education. He also provided a document to the Subcommittee.

[EXHIBIT\(jeh14a03\)](#)

{Tape: 2; Side: A; Approx. Time Counter: 8.4 - 18.7}

Dennis Moore, Executive Director, Parents Let's Unite for Kids (PLUK) (tape inaudible), came today to endorse OPI and their involvement in the education system. He feels that this is extremely important to fund.

REP. JUNEAU asked Mr. Moore if his organization is provided with support from the State and wondered how PLUK operates.

Mr. Moore stated that they are a non-profit organization; they have a diversified budget. He attested that their largest source of funding is through the Department of Education.

REP. JUNEAU inquired what they do to assist parents when they come into PLUK.

Mr. Moore attested that they are doing whatever they can with a very limited number of resources. He discussed the number of individuals they have available for such assistance. They are also implementing a volunteer program.

REP. JUNEAU claimed that parents with special education children need all the help they can get. She wondered if PLUK has any plans to address the problem of students being expelled.

Mr. Moore stated that they do. However, it is very much in the infancy stage at this point. He discussed the number of family support consultants they have and what areas they are located in.

REP. JUNEAU addressed the issue of parent committees. She wondered if special education programs have parent committees available in all the schools.

Mr. Moore said that he is not sure if they are available in all schools.

CHAIR FRANKLIN stated that OPI had some responses to earlier questions.

Ms. McCulloch explained a document that Bud Williams, OPI, was distributing.

[EXHIBIT\(jeh14a04\)](#)

Joan Anderson, OPI, spoke about a question that was raised earlier in regard to the total obligation of OPI. She mentioned the amount of money that certain programs under OPI are paying on the total outstanding bond.

SEN. ESP inquired into the logic behind the actions taken in 1995.

Ms. Anderson referred the question to Madalyn Quinlan, OPI.

Ms. Quinlan explained that the Supreme Court decision in 1990 ruled that the State needed to participate more actively in the funding process of the educational system.

SEN. ESP wondered why the percentage of what the State is subsidizing has grown.

Ms. Quinlan explained that from the year 1995, former Governor Marc Racicot allocated that \$.5 million be added each year to the

funding. The goal was to bring the budget up so that education could be fully funded.

SEN. ESP inquired if this is a function of how many districts are billing or if it is a function of the tax base in those districts.

Ms. Quinlan claimed it was both.

{Tape: 2; Side: B; Approx. Time Counter: 0 - 10.3}

OBPP COMMENTS

None

LFD Comments

Jim Standaert, Legislative Fiscal Division, explained that OPI had some budget proposals for the Subcommittee.

NEW PROPOSALS

HOMELAND SECURITY GRANTS

PROGRAM 06

Nancy Coopersmith, OPI, explained that they just received a federally funded grant. She discussed what this would do for the educational system. This combines education with community service. She stated that the Program 06 amendment would include an additional FTE, as well as \$127,000 each year to administer this Learn & Serve Homeland Security Grant. The effectiveness of this grant will be assessed by outside evaluators. She provided a document to the Subcommittee which outlines this program.

EXHIBIT(jeh14a05)

PROGRAM 09

Ms. Coopersmith spoke about Program 09 which deals with student learning activities. Within this program, students will learn how to prepare emergency kits for the home, develop web sites for emergency preparedness procedures, and they will generate emergency preparedness procedure brochures for distribution in the community. She provided a document to the Subcommittee which outlines this program.

EXHIBIT(jeh14a06)

CHAIR FRANKLIN inquired into the total cost of this grant.

Ms. Coopersmith stated that the total is \$400,000 each year for two years. She clarified that \$127,000 is from federal funds for

administration in Program 06 and \$273,000 is for distribution to schools under Program 09.

CHAIR FRANKLIN asked about the life expectancy of this grant.

Ms. Coopersmith discussed that they would receive \$400,000 each year for two years. She also discussed the duties of the FTE that would be hired.

{Tape: 2; Side: B; Approx. Time Counter: 10.3 - 16.5}

QUESTIONS FROM SUBCOMMITTEE
HOMELAND SECURITY GRANTS

SEN. ESP asked about the number of grants that the \$273,000 figure would be applied to.

Ms. Coopersmith attested that there are six grants.

SEN. ESP wondered how those are allocated. He asked if they are given to six different schools.

Ms. Coopersmith claimed that the grants will go to schools that have been regional hubs for service learning in regard to the Learn & Serve Grant.

SEN. ESP inquired how the Learn & Serve Program is administered from the perspective of OPI.

Ms. Coopersmith attested that they have a part-time specialist and a part-time support staff that administer this program.

SEN. ESP asked Ms. Coopersmith to clarify that they are requesting another FTE to supplement the staff.

Ms. Coopersmith said, "That is correct."

SEN. ESP wondered if it is typical for most grants to have this sort of an administrative set-up.

Ms. Coopersmith stated that it is a value judgement; it is a difficult question to answer. She provided some verbal statistics to the Subcommittee.

SEN. ESP commented that it seems a bit out of whack. It seems like there should be additional grants.

Ms. Coopersmith stated that initially they requested funding for seven or eight grants. She added that they wanted OPI to reduce the number of schools rather than the number of resources.

SEN. WILLIAMS asked Ms. Coopersmith to provide them with where the districts are that would benefit.

Ms. Coopersmith stated that they would be located in: 1) Hardin; 2) Lockwood; 3) Plentywood; 4) Lewistown; 5) Missoula; and 6) Libby. She added that each of these school districts would reach out to three other districts within the region.

REP. JUNEAU thanked everyone for allowing her to speak today. She also thanked OPI for the opportunity.

CURRENT TECHNICAL EDUCATION

Jodi Messinger, OPI, provided written testimony from Mark Branger, Executive Director, Montana Association for Career and Technical Education.

[**EXHIBIT\(jeh14a07\)**](#)

CHAIR FRANKLIN called for the Subcommittee to break and reconvene at 11:30.

Mr. Branger spoke to the Subcommittee upon reconvening. He introduced himself and spoke about Exhibit 7. He also distributed a brochure in relation to technical education.

[**EXHIBIT\(jeh14a08\)**](#)

DECISION PACKAGE DP 51

Dr. Ken Carpenter, Orthopaedic Surgeon, Helena, Montana, spoke in support of DP 51. He stated that he is a board member for the Montana Chapter of Health Occupations Students of America. He added that this group is under the umbrella of current technical education and health occupations education. He spoke about health occupations in Montana. They would benefit greatly from this additional funding. One problem that is present is that many young individuals are not aware that these careers are present. The jobs are here; Montana needs to provide adequate training.

QUESTIONS FROM SUBCOMMITTEE

CHAIR FRANKLIN asked Mr. Branger to repeat his job title to the Subcommittee.

Mr. Branger stated he is the Executive Director for Montana Association for Career and Technical Education; this is a part-time job. He added that his real job is the Technology Director at Huntley Project Schools, a full-time position.

CHAIR FRANKLIN asked Mr. Branger to expand on his role of interacting with students. She wondered what an average work-day is for him.

Mr. Branger stated he oversees all the technology components of the districts. Anytime there is a problem, they call him. He meets with several different school officials on a regular basis. He also oversees the career and technical education budget for each district.

CHAIR FRANKLIN asked Mr. Branger to explain why DP 51 is significant to his job.

Mr. Branger attested that their programs are very expensive. He stated that last year they took their Perkins funds and State funds and purchased a new computer lab. They are trying to give their students the latest and greatest technology. He added that without State funds or Perkins funds, he would not be able to do this.

REP. JACKSON claimed that the best way to handle a students self-esteem is to provide a job scale. He asked Ms. Messinger to describe where vocational education is in Montana.

Ms. Messinger stated that they work closely with post-secondary education. They are working hard to make a seamless system. They feel that if students do not experience vocational studies in school, they will most likely not pursue this type of a career in the future.

{Tape: 3; Side: A; Approx. Time Counter: 0 - 17.8}

REP. JACKSON wondered if vocational schools are part of secondary or post-secondary education.

Ms. Messinger reiterated that most of the vocational studies are in high schools. They are not surviving in the middle schools.

SEN. RYAN wondered how far down the funding goes in grade-level at the Huntley Project Schools.

Mr. Branger claimed that the dollars mostly impact Grades 9-12.

REP. JUNEAU wondered if the schools participate in the workforce training program that is received from the federal level.

Mr. Branger stated that funding from the workforce training is utilized in certain programs.

Ms. Messinger added that they have received incentive dollars because they exceeded their performance standards. They have also received a lot of support from the Department of Labor.

REP. JUNEAU wondered if they had an interest in developing a partnership with the Department of Public Health & Human Services.

Ms. Messinger stated that they do have adult basic education. She discussed this program and its potential benefits. She also explained the history of applying for more funding. Missoula probably has the best results in this area.

PUBLIC COMMENT

Ann Belwood, Sun River Valley Schools, stated she is amazed at the lack of funding in the educational system. She sees a gap developing between advantaged schools and disadvantaged schools. This is a problem that needs to be dealt with.

There was an additional document which was emailed to the Secretary in regard to the additional funding for Career and Technical Education.

EXHIBIT(jeh14a09)

ADJOURNMENT

Adjournment: 12:00 P.M.

REP. EVE FRANKLIN, Chairman

DIANA WILLIAMS, Secretary

EF/dw

Additional Exhibits:

EXHIBIT ([jeh14aad0.TIF](#))